

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

TOM HUGHES & DESMOND MCDONALD, on	]	CASE NO. 2:14-cv-00432-EAS-EPD
Behalf of Themselves and Others Similarly Situated,	]	
	]	District Judge Edmund A. Sargus
<i>Plaintiffs,</i>	]	
	]	Magistrate Judge Elizabeth Deavers
v.	]	
	]	
GULF INTERSTATE FIELD SERVICES, INC.,	]	
	]	<b>RULE 26(f) REPORT OF PARTIES</b>
<i>Defendant.</i>	]	
	]	

- 1. Pursuant to Fed. R. Civ. P. 26(f), the parties met on July 8, 2014. The meeting was attended by:**

Richard J. (Rex) Burch, counsel for all Plaintiffs.

W. Jackson (Jack) Wisdom, counsel for Defendant.

- 2. Consent to Magistrate Judge.** The parties:

\_\_\_\_\_ unanimously consent to the jurisdiction of the assigned United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).

X do not unanimously consent to the jurisdiction of the assigned United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).

- ### 3. Initial Disclosures: The parties:

\_\_\_\_ have exchanged the initial disclosures required by Rule 26(a)(1);

X will exchange such disclosures by **July 23, 2014**

\_\_\_\_ are exempt from such disclosures under Rule 26(a)(1)(E).

\_\_\_\_\_ have agreed not to make initial disclosures

**4. Jurisdiction and Venue**

- a. Describe any contested issues relating to: (1) subject matter jurisdiction, (2) personal jurisdiction and/or (3) venue:

**None.**

- b. Describe the discovery, if any, that will be necessary to the resolution of issues relating to jurisdiction and venue:

**N/A.**

- c. Recommended date for filing motions addressing jurisdiction and/or venue:

**N/A.**

**5. Amendments to Pleading and/or Joinder of Parties**

- a. Recommended date for filing motion/stipulation to amend the pleadings or to add additional parties: **August 29, 2014.**

- b. If class action, recommended date for filing motion to certify the class: **November 14, 2014.**

**6. Recommended Discovery Plan**

- a. Describe the subjects on which discovery is to be sought and the nature and extent of discovery that each party will need:

<b>Subject</b>	<b>Nature</b>	<b>Extent</b>
Plaintiffs' Job Duties	Merits & Collective/Class Certification	Full discovery
Defendant's Pay Practices	Merits & Collective/Class Certification	Full discovery
Defendant's Good Faith Defenses	Merits	Full discovery
Defendant's Alleged Willfulness	Merits	Full discovery

- b. What changes should be made, if any, in the limitations on discovery imposed by the Federal Rules of Civil Procedure or the local rules of this Court?

**None.**

- c. The case presents the following issues relating to disclosure or discovery of electronically stored information, including the form or forms in which it should be produced:

**To the extent reasonably practicable, ESI shall be exchanged in a commonly available electronic format (e.g., .pdf, .xml, .doc, etc.).**

- d. The case presents the following issues relating to claims of privilege or of protection as trial preparation materials:

**The parties are not aware of any particular issues at this point. The parties will confer if such issues arise.**

- i. Have the parties agreed on a procedure to assert such claims AFTER production?

  X   No

       Yes

       Yes, and the parties ask that the Court include their agreement in an Order

- e. Identify the discovery, if any, that can be deferred pending settlement discussion and/or resolution of potentially dispositive motions:

**None.**

- f. The parties recommend that discovery should proceed in phases, as follows:

**N/A.**

- g. Describe the areas in which expert testimony is expected and indicate whether each expert will be specially retained within the meaning of F.R.Civ.P.26(a)(2):

**Retained experts may be necessary on the issue of damages. To the extent testimony is required on the issue of attorney's fees, this testimony will be provided by participating counsel.**

- i. Recommended date for making primary expert designations:

**January 30, 2015**

- ii. Recommended date for making rebuttal expert designations:

**March 6, 2015**

h. Recommended discovery completion date:

Plaintiff recommends: **April 24, 2015**

Defendant recommends: **August 28, 2015**

**7. Dispositive Motion(s)**

a. Recommended date for filing dispositive motions:

Plaintiff recommends: **May 22, 2015**

Defendant recommends: **September 25, 2015.**

**8. Settlement Discussions**

a. Has a settlement demand been made? **No.** A response? **No.**

b. Date by which a settlement demand can be made: **October 17, 2014**

c. Date by which a response can be made:

Plaintiff proposes: **October 31, 2014**

Defendant proposes: **November 14, 2014**

**9. Settlement Week Referral**

The earliest Settlement Week referral reasonably likely to be productive is the

\_\_\_ March 20\_\_\_ Settlement Week

\_\_\_ June 20\_\_\_ Settlement Week

\_\_\_ September 2014 Settlement Week

X December 2014 Settlement Week

**10. Other matters for the attention of the Court:**

**None.**

Respectfully submitted,

/s/ Eve M. Ellinger

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Counsel for Plaintiffs

**CERTIFICATE OF SERVICE**

I hereby certify that on this 23rd day of July, 2014, a copy of the foregoing RULE 26(F) REPORT OF PARTIES was filed and served electronically using the Court's electronic filing system upon the following:

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